

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO.24467 OF 2005

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Dated : 10th March, 2006.

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Between:

Manne Dhanalakshmi ... Petitioner

And

1. The Government of A.P., rep. by its Secretary,
Home Department, Secretariat, Hyderabad,
and 3 others. ... Respondents

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO.24467 OF 2005

ORDER :

The petitioner is the de facto complainant in Crime No.12 of 2004 registered under Sections 354 and 506 Part-II of the Indian Penal Code against the 4th respondent herein. After completing the investigation, a charge-sheet against the accused was filed which was numbered as Sessions Case No.236 of 2004 on the file of the Court of Assistant Sessions Juddge, Narsapur, West Godavari District.

This writ petition is filed seeking a Mandamus directing the respondents 1 to 3 to appoint Sri Jakkamseti Venkateswara Rao, Advocate, Narsapur, West Godavari District as Special Public Prosecutor to conduct trial in S.C.No.236 of 2004.

The petitioner alleges that the police in collusion with the 4th respondent - accused setup some witnesses to substantiate a fabricated report. Since the cross-examination of the said witnesses is necessary, she made a representation dated 8-9-2005 requesting the respondents 1 and 2 to appoint an advocate namely Sri Jakkamsetti Venkateswara Rao as Special Public Prosecutor to conduct trial in S.C.No.236 of 2004. It is alleged that the respondents failed to consider her request, but in the meanwhile the trial in S.C.No.236 of 2004 is about to be commenced. Hence, this writ petition.

Though no counter-affidavit is filed, the learned Government Pleader for Home, under instructions, states that the request of the petitioner dated 8-9-2005 for appointment of Special Public Prosecutor in S.C.No.236 of 2004 is under active consideration by the Government.

Since the request of the petitioner is already under consideration, without expressing any opinion as to the entitlement of the petitioner for appointment of Special Public Prosecutor as prayed for, the Writ Petition is disposed of with a direction to the respondents 1 and 2 to consider the request of the petitioner and to take appropriate decision as expeditiously as possible preferably within a period of one week from the date of receipt of this order.

The Writ Petition is accordingly disposed of. No costs.

G. ROHINI, J.

Dt. 10-03-2006.

Note:- CC by 13/3/2006.

(B/O)

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